

## **"Prospects for Democracy in Zimbabwe after the March 2005 Elections"**

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Subcommittee on Africa, Global Human Rights, and International Operations**

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Mr. Chairman and members of the Subcommittee, on behalf of the National Democratic Institute, I am pleased to have the opportunity to speak about the recent parliamentary elections, and the prospects for the future of democracy in Zimbabwe. NDI has been working with political and civic leaders for over a decade to assist in their efforts to advance democracy throughout the Southern Africa region. I was present in Zimbabwe during the week of the elections, and was able to see first-hand the political events as they unfolded in the days prior to the polls. I appreciate this opportunity to share information related to these recent elections and to highlight some of the troubling indicators I see concerning the prospects for democracy in the country.

The March 2005 elections were yet another in a series of fatally flawed elections in Zimbabwe, and must be viewed in the context of three important issues: 1) the illegitimate parliamentary elections in 2000 and presidential election in 2002 – both of which were fraught with violence and intimidation; 2) an economic and social crisis that is raging throughout the country; and 3) the weak regional response to the crisis and the impact it is having on democratic leaders and activists throughout southern Africa.

For the past five years, Zimbabwe has held three consecutive elections that have shared common themes: state-sponsored violence and intimidation directed toward opposition leaders and their followers; an unfair electoral framework and corrupt election administration; a biased judiciary that has failed to adhere to the rule of law; limitations on freedom of speech, assembly and the independent press; and severe restrictions on civic groups engaged in voter and civic education.

These elections were also held in the context of a country in a deteriorating state of economic and social crisis. Over the past five years, the standard of living for most Zimbabweans has fallen significantly, with 70 percent of the population now living under the poverty level. It is estimated that between two and three million people have left the country as economic refugees over the last several years. Zimbabwe has one of the highest HIV/AIDS prevalence rates in the world, with 24.6 percent of all adults infected with the disease.<sup>1</sup> Fuel shortages are common, and electricity and water are routinely unavailable. Many humanitarian organizations fear that there will be food shortages affecting millions of rural citizens at any given time; and in January, the Famine Early Warning Systems Network, based in Johannesburg, estimated that as many as 5.8 million people (out of a population of 11.5 million) may starve if they do not receive food aid.<sup>2</sup>

This is a bleak picture for a country that was once known as the breadbasket of Africa, with one of the strongest economies on the continent, a highly educated population, a revered judicial system and a thriving free press. In the last few years, it has faced international condemnation by the West, but little criticism from neighboring countries which are forced to deal directly with the impact of the crisis on a daily basis. The Zimbabwe problem has become an African problem, and ownership for resolving the situation has been assumed by the political leadership in southern Africa. After five years of “quiet diplomacy,” however, these efforts have failed to hold Zimbabwe to the electoral and governance standards established and endorsed by the Southern African Development Community (SADC) and the New Economic Partnership for Africa (NEPAD).

### **The Pre-Election Period**

What set the March 2005 elections apart from recent elections in Zimbabwe was that they were relatively peaceful. But they were in no way fair or legitimate.

In the two months leading up to the March polls, there was a significant change in the atmosphere in Zimbabwe. Seemingly out of nowhere, the opposition party, the Movement for Democratic Change (MDC), saw a new level of electoral tolerance that had not existed for years. MDC leaders and candidates were able to travel and campaign in a relatively calm, peaceful environment. There were markedly fewer incidents of police disrupting campaign rallies, and candidates were able to speak openly in areas that had long been considered “no-go” areas – rural constituencies that had been dominated and controlled by the ruling party and their armed party loyalists. However, candidates from the ruling party made frequent allusions to the past, reminding people that if they did not vote for ZANU-PF, there would be repercussions.

This is very different from the past five years, when government-sponsored youth gangs and war veterans attacked opposition supporters, beating them, destroying property and in some cases killing individuals who sympathized or campaigned for the opposition.

A few days before the elections I had a chance to attend two opposition rallies – one in Harare and one in Bulawayo – and I viewed several ZANU-PF rallies on state television. These rallies were remarkable on several levels. First, the turnout and participation of ordinary Zimbabweans was extremely high. A reported 40,000 people showed up to hear MDC leader, Morgan Tsvangirai, speak on the Sunday morning before the elections. An open soccer field was packed full of supporters who hung on his every word, and chanted the same slogan over and over again – “A new Zimbabwe, a new beginning”.

What was also remarkable was that this rally and other electoral activities held throughout the week were covered by scores of international media – from the Washington Post to the New York Times, CNN, and dozens of European reporters. With the exception of a few British-based media outlets, the government accredited dozens of

print and television media – something that has not been allowed in Zimbabwe, as there has been a complete ban on foreign journalists for more than three years.

And lastly, what was striking about these events was the stark difference in the political message that was delivered at MDC rallies, as compared to the message carried at the ZANU-PF rallies that I watched on local television. The MDC candidates set out clear positions on public policy issues, ranging from economic reform, to land tenure, education, and health care. Morgan Tsvangirai spoke openly to the crowd in Harare about the HIV/AIDs crisis, the impact it was having on the Zimbabwean population, and the need for everyone to use condoms. Armed with statistics and facts, these MDC positions were in marked contrast to ZANU-PF speeches and political advertisements in the newspapers, which were based largely on anti-British and anti-colonial rhetoric. Little attention was paid to the daily concerns of Zimbabweans. Instead, the ruling party discussed the damaging role of the colonial powers, with full page photos of Prime Minister Tony Blair – a message that still resonates with many Zimbabweans.

The relative calm and openness during the run-up to the election, however, masked a manipulated process that began long ago and which is consistent with the ongoing, illegitimate administration of elections that Zimbabwe has had in place for the past five years. In the days leading up to the elections, Zimbabweans commented that ZANU-PF was so convinced they would win a two-thirds majority, that “creating freer conditions on the eve of the election would not hurt.”<sup>3</sup>

### **What was at stake?**

Zimbabwe’s parliament consists of 150 seats, of which 30 are appointed directly by the President. Of the 120 directly elected seats, the MDC had won 57 in the 2000 parliamentary elections, and many analysts believe they would have won an additional 37 seats, had their pending electoral complaints been adjudicated by the court system at any point over the last five years. Going into the March elections, it was clear that the ruling party desperately wanted a comfortable two-thirds majority in parliament, which would enable them to change the constitution at will. And the pre-election conditions almost certainly ensured a ruling party victory. A few of these conditions included:

- **An out-of-date voter registry** – The voters roll that was used for these elections was out of date and could not be verified before the elections, as the complete voter registry was never publicly released. Many Zimbabwean analysts believe that as many as two million names out of the 5.7 million listed, were either fictitious or dead.
- **Gerrymandered constituencies** – Since the last parliamentary elections, many of the urban seats held by the MDC have been abolished altogether and new constituencies developed in rural areas where people are more sympathetic to President Mugabe and his ZANU-PF party. In other cases, MDC-friendly constituencies were merged with rural ones, to slightly tilt the balance in favor of ZANU-PF.

- **Selective increase in the number of polling stations** – While the number of polling stations were reduced in MDC strongholds, making it more difficult for voters to get to the polls in a timely manner, there was an increase in the number of stations in the ZANU-friendly rural areas.
- **Domestic observers faced obstacles in accreditation** – Civic groups were prevented from registering their over 6,000 domestic monitors until just days before the election and were required to travel to either Bulawayo or Harare to receive their accreditation.
- **Exiled population was not able to participate in polls** – Up to three million people have left Zimbabwe over the last several years, primarily for economic reasons, and most are seen as sympathetic to the MDC. These potential voters had no access to the ballot and were not able to participate in this important process.
- **Land and food was used as a threat** – It was reliably reported that village chiefs and elders, who are responsible for allocating land, threatened rural voters with taking back their subsistence plots if they failed to vote for ZANU-PF. Other reports indicated that government officials responsible for handing out food aid threatened to withhold food if voters were suspected of voting for the MDC.
- **Lack of access to the media** – Although international journalists were allowed into the country on the eve of elections, they were accredited late in the process. Independent, local media remains non-existent in the country. The only credible independent newspaper, the Daily News, was forced to close in 2003 after years of harassment, bomb attacks on its offices, arrests and detention of reporters, and violence directed at its editor. Prior to the elections, the MDC was afforded a small amount of radio and television time on state-controlled stations, but it paled in comparison to the almost around-the-clock coverage of President Mugabe, ZANU candidates and ZANU rallies held around the country.
- **Lack of credible international monitors** – As in the last presidential election, election observers from the United States, the United Kingdom, the European Union and the Commonwealth were not invited or allowed in the country. Most disappointing in this years' election was the blatant refusal to allow credible, impartial observers from southern Africa such as the SADC Parliamentary Forum (SADC-PF), and a civic delegation organized by the Electoral Institute of Southern Africa (EISA), because they were viewed as potential critical voices of the election process.

## **Election Day**

By all reports, election day was relatively peaceful and calm, with only isolated reports of violence, intimidation or voting irregularities. As results were tallied and announced, it became clear that ZANU-PF had won an overwhelming majority, taking 78 of the directly elected seats, as compared to 41 won by the MDC. Coupled with the 30 seats appointed by the president, these numbers provide the ruling party with the two-thirds majority necessary for constitutional amendments.

Yet, these results are highly suspect, and domestic observers, including the Zimbabwe Election Support Network (ZESN), which fielded over 6,000 observers nation-wide, point to the lack of transparency in a tabulation process indicating that large-scale fraud may have been employed to ensure a ruling party victory.<sup>4</sup> The MDC asserts, in an April 12 report<sup>5</sup>, that ballot stuffing and tabulation irregularities could affect the results in at least 20 constituencies in their favor, giving the opposition party 61 seats to ZANU's 58, thus denying the ruling party of their two-thirds majority. Of particular concern were three issues:

- **Voters were turned away** – At least 130,000 voters, or 10 percent of all eligible voters, were turned away at the polls for a variety of reasons, including lack of identification or because their names did not appear on the list.
- **Domestic observers were prevented from observing the counting process** – After the polls closed, election authorities were required to count ballots under the eye of domestic observers and party poll watchers at each of the 8,000 polling stations and post the results for the public to view. These rules were not adhered to and many observers reported they were not permitted to view the counting of ballots. Some observers were locked inside polling stations while uniformed police communicated the voting results by telephone and radio. And in many polling stations results were never posted for public viewing.
- **Reported turnout mysteriously increased** – Hours after the polls closed, the government announced on state-controlled radio the total number of voters who voted, on a constituency by constituency basis. For example, in the electoral district of Manayme, the election authority announced that a total of 14,812 people had voted. The following day, however, the authorities announced that 9,000 additional votes were found in the Manayme district, giving the ZANU candidate a comfortable win, with over 15,000 votes. This puzzling pattern emerged in at least 19 other constituencies, and to date, the Zimbabwean electoral authorities have failed to explain these critical discrepancies.

These and other discrepancies are more fully described in two reports by the MDC and ZESN, which I submit for the record. Overall, both organizations estimate that together these questionable results could have potentially changed the outcome in over 20 constituencies.

### **The Regional Response**

Delegations from South Africa, SADC and the African Union traveled to Zimbabwe to observe these elections, which had been much anticipated and debated throughout the region for several years. Representing countries that embody democratic standards in their own constitutions and electoral laws, and armed with the new “SADC Principles for Democratic Elections” which were adopted by the heads of state of each SADC country in August last year, these delegations all concluded that the elections reflected the will of the people.

A review of the SADC Principles for Democratic Elections suggests that these important regional standards were not met in the conduct of Zimbabwe's March elections. As noted by ZESN in its preliminary report, the elections failed to meet the regional standards:

"Zimbabwe's electoral climate has been one shrouded in fear from the time of the 2000 parliamentary elections, as these elections were accompanied with extensive physical violence and a number of fatalities. This climate of fear continued during subsequent by-elections that were held. This was the background against which the 2002 presidential elections were held and subsequently Zimbabweans have come to associate elections with physical violence. The long term pre-electoral period was not accompanied by overt physical violence as compared to the two previous elections, but incidents of intimidation were recorded as well as intra-party violence. Examples of intimidation include the politicization of food distribution and the partisan role of some traditional leaders. This leads to the conclusion that the pre-election period was not in compliance with the SADC Principles and Guidelines . . ."<sup>6</sup>

### **Prospects for the Future**

The next opportunity for electoral competition in Zimbabwe will be the 2008 presidential election. Given that the ruling party claims it legitimately controls a two-thirds majority in parliament, there is no way to anticipate what constitutional and legislative changes might be made prior to 2008. On Monday of this week, President Mugabe spoke at Zimbabwe's 25th independence anniversary, saying he had no need for Western-style democracy or aid from the West because "we have turned East." These remarks were made as newly acquired Chinese fighter jets flew overhead as part of the celebration.

I would suggest that the 11 million people living in Zimbabwe, many of whom are suffering from hunger, dying from AIDs or who have been politically silenced, do not share this view. The citizens of Zimbabwe believe in the universal principles of participatory democracy. They have respect for the rule of law and desperately want to live in a country that is free from violence, oppression and hunger. Their values are no different from ours.

Now is the time for the international community to re-double its efforts to support the democratic process in Zimbabwe. The opposition party MDC maintains support from a broad cross-section of Zimbabweans, and civic groups remain engaged in trying to help citizens advocate for better governance, a stronger economy and the need for health care, education and jobs. The MDC should be commended for agreeing to participate in these elections despite violence, harassment and intimidation targeted at them for the last several years. They have participated bravely and organized peacefully to engage in the electoral process, however flawed that might be. This effort deserves international recognition and support.

As we have learned, democratic change does not happen overnight. Acquiescing to the abandonment of fundamental principles of human rights will only serve to further encourage autocratic tendencies in Zimbabwe and beyond. These political rights are not, as the government of Zimbabwe would have us believe, a Western export. Rather, they embody the hopes and aspirations of the Zimbabwean people, are guaranteed by the Zimbabwean constitution, and are endorsed by international and regional protocols and standards.

After a decade of strategically supporting good governance, human rights, free and fair elections and poverty reduction in Africa, we must be steadfast in our continued support to Zimbabwe; we must continue to encourage adherence to international and regional standards of democracy; and we should use every financial and diplomatic resource to prevent the continent from losing another country to insecurity and poverty. We have learned that genuine elections are a necessary, but not sufficient, pre-condition for democracy. The Zimbabwean people are still waiting for those elections.

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<sup>1</sup> www.cdc.gov

<sup>2</sup> IRIN News, <http://www.irinnews.org/report.asp?ReportID=45312>, January 31, 2005.

<sup>3</sup> Reginald Matchaba-Hove, Chairman of the Zimbabwe Election Support Network.

<sup>4</sup> ZESN Statement, 2005 Parliamentary Elections, April 2, 2005

<sup>5</sup> MDC Report “The will of the Zimbabwean People Denied....Again”, April 12<sup>th</sup>, 2005

<sup>6</sup> ZESN *ibid*.